

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

JOSHUA A. WILSON, *et al.*,

Plaintiffs,

v.

LLOYD J. AUSTIN III, *et al.*,

Defendants.

Case No. 4:22-cv-00438-ALM

**DEFENDANTS' UNOPPOSED MOTION  
FOR AN EXTENSION OF TIME TO RESPOND TO COMPLAINT**

Defendants respectfully move for an extension of time to file their response to Plaintiffs' complaint, ECF No. 1. The current deadline to respond is August 1, 2022. *See* Fed. R. Civ. P. 12(a)(2).

On May 23, 2022, Plaintiffs commenced this action to challenge the military's COVID-19 vaccination requirement. *See generally* ECF No. 1. On July 1, 2022, Plaintiffs filed a motion for a preliminary injunction. ECF No. 9. Defendants responded to that motion on July 15, 2022, ECF No. 14, and Plaintiffs filed a reply on July 22, 2022, ECF No. 15. Pursuant to the briefing schedule entered by the Court, Defendants will file a sur-reply on or before July 29, 2022. ECF No. 12.

In light of the unresolved motion pending before the Court, Defendants respectfully request that the Court extend their deadline to respond to Plaintiffs' complaint until three weeks after the Court resolves Plaintiffs' motion for a preliminary injunction. Defendants have conferred with Plaintiffs, and Plaintiffs do not oppose this request.

Defendants appreciate the Court's consideration and respectfully request entry of Defendants' proposed order.

Dated: July 26, 2022

Respectfully submitted,

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Principal Deputy Assistant Attorney General

ALEXANDER K. HAAS  
Director, Federal Programs Branch

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/s/ Jody D. Lowenstein  
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**CERTIFICATE OF SERVICE**

I hereby certify that on July 26, 2022, I electronically filed the foregoing document with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/ Jody D. Lowenstein

JODY D. LOWENSTEIN

Trial Attorney

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